

Application No. 09/825,022
Amendment dated March 9, 2005
Reply to Office Action of December 14, 2004

Docket No. 1232-4700

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Objection

The Examiner indicates that the title is not descriptive.

The title has been amended as shown above.

Applicants respectfully request that this objection be withdrawn.

Status of the Claims

Claims 1-16 are pending in this application. Claims 1, 9 and 13 are independent. All of the pending claims stand rejected. By this amendment, independent claims 1, 9 and 13 are amended. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §102

Claims 1, 4, 5, 9, 12, 13 and 16 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,222,538 to Anderson ("Anderson").

The Examiner indicates that the "Directed Image Capture Sequence" 618 and the "software" 600 of Fig. 10 of Anderson are equivalent to the "setting means" and "control means", respectively, of the present invention.

Anderson discloses a method for controlling user interaction in a digital image device using dynamic overlay bars in which both status information (e.g., flash light and/or current image type setting) and interactive instructions (e.g., guiding user interaction) are displayed on the dynamic overlay bars to enable a user to perform complex camera functions. Anderson also

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discloses Directed Image Capture Sequences in which a user selects one of the categorized image capture sequences (e.g., "commercial", "industrial" and "residential"). See, col. 11, lines 19-34 of Anderson. Applicant further notes that Anderson discloses script commands relating to camera settings, controls and other camera parameters specific to the subject and/or scene being captured (i.e., White Balance Modes, Exposure Modes, and Focus Modes) enabling a user to optimizing the camera for specific photographic conditions by selecting one of the modes. See, also, col. 12, lines 1-8 of Anderson.

One of the aspects of the present invention as featured in independent claims 1, 9 and 13 is directed to an image pickup apparatus/method in which a series of modes are continuously and automatically selected with a specific order by the image pickup apparatus depending on the pre-defined scenes. For example, claim 1 recites an image pickup apparatus comprising (1) setting means for setting a plurality of chapters (i.e., scenes); and control means for controlling photography operation in an order of the set chapters on the basis of settings of the plurality of chapters by said setting means. The image pickup apparatus of the present invention further recites that the setting means sets, for each of the plurality of chapters, a photography time and a mode for executing desired photography during the photography time. Other independent claims (i.e., claims 9 and 13) recite similar features to claim 1 as discussed herein.

This feature of the present invention enables a video camera user to avoid the mode selection activities depending on the scenes during the picture taking operations helping him to focus other activities such as composition setting according to a dynamic change of an object.

First of all, Applicant believes that Anderson fails to show or suggest this aspect of the invention as discussed above. Secondly, Applicant further notes that the Examiner asserts the

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"time of capture" as in col. 7, lines 43-46 of Anderson is equivalent to the "photography time" of the present invention. It appears, however, that the "time of capture" of Anderson is simply a time of a day (e.g., 10:01 AM), not the period of time taking photography as in the present invention.

Accordingly, each of independent claims 1, 9 and 13 is neither anticipated by nor rendered obvious in view of Anderson for at least the reasons discussed above.

Nonetheless, independent claims 1, 9 and 13 have been amended for further clarification. In particular, amended claim 1 recites that "said control means automatically starts a photography operation of a next chapter after a photography time for a prior chapter is elapsed."

Anderson discloses that a chapter is started and a photography mode is changed when a shutter button is pressed in a state of "WaitForShutter" as shown in step 714 of Fig. 11.

Applicant believes that each of amended claims 1, 9 and 13 is further distinguishable over Anderson.

Reconsideration and withdrawal of the rejections of claims 1, 9 and 13 under 35 U.S.C. §102(e) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

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AUTHORIZATION

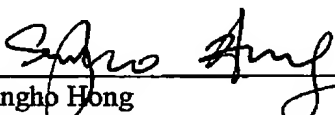
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4700). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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Dated: March 9, 2005

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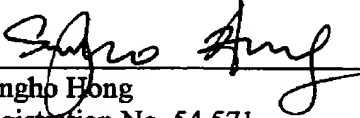
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